

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2002-158

April 1, 2002

CENTRAL MAINE POWER COMPANY  
Request for Waiver of Chapter 321,  
Section 4(B)(2) for CMP's Medium  
Commercial Customer Class and  
Methodology Report #5

ORDER GRANTING  
WAIVER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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On March 21, 2002, Central Maine Power Company (CMP) filed its Methodology Report #5 pursuant to Chapter 321, Section 9(B) and a request for waiver of Section 4(B)(2) of Chapter 321 for the Medium Commercial Customer class.<sup>1</sup> CMP indicates that no waiver is necessary for the Residential and Small Commercial classes because they were re-sampled last year and are in compliance with the rule. CMP seeks a waiver for the Medium Commercial Customer class, though, because "that sample is now three years old" and, therefore, does not meet the requirements of Chapter 321.

The rule provides, however, that a waiver of this requirement will be granted if the T&D utility can demonstrate that the current sample represents the customer profile group with reasonable accuracy. For utilities operating in the ISO-NE control area, the accuracy required by Chapter 321 is that samples produce a 90% confidence level with, plus or minus, a 10% error margin in hourly load at the time of the transmission and distribution utility's summer peak. In its filing, CMP provides data indicating that the current sample for the Medium Commercial Customer class is accurate within that requirement.

Section 10 of Chapter 321 allows the Director of Technical Analysis to grant waivers, provided that granting the waiver would not be inconsistent with the purposes of this Chapter or Title 35-A. Because the current sample for the Medium Commercial Customer class profile group is still accurate within the range required by Chapter 321, I find that granting this waiver request is not inconsistent with the purpose of this provision of the rule. Therefore, CMP's request for a waiver of the requirement to re-sample the Medium Commercial Customer class is hereby granted.

BY ORDER OF THE DIRECTOR OF TECHNICAL ANALYSIS

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Faith Huntington  
Acting Director

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<sup>1</sup> Section 4(B)(2) of Chapter 321, requires T&D utilities to re-sample each customer profile group no less frequently than every two years.

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.